

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:22-cv-00080-MMD-CSD

Order

Re: ECF Nos. 42, 58

RICHARD JOHNSTON,

Plaintiff

v.

MARTIN NAUGHTON,

Defendant

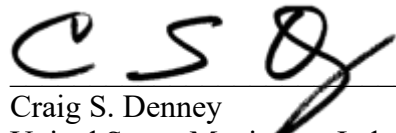
Plaintiff has filed a motion requesting an order that he be provided access to his entire record, that he be given a minimum of two hours to review his file, that he be provided with a pen and paper, that he be provided with a complete copy of each report or record he identifies, and that he will pay the cost of copying from his inmate account as funds are available. (ECF No. 42.) Defendant did not timely file a response, and Plaintiff notified the court of Defendant's failure to oppose the motion. (ECF No. 51.) In response to that notice, Defendant filed a notice indicating that he has sent initial disclosures to the warden's office for Plaintiff's review, which include his medical records, and Plaintiff can simply kite to review the records, but he is not entitled to possess the records under Administrative Regulation (AR) 639.

Plaintiff's motion (ECF No. 42) is **DENIED** insofar as Defendants are correct that Plaintiff is not entitled to possess his records, but he may kite the warden's office to review the records and may take whatever notes he deems appropriate. The Attorney General's Office shall ensure that Plaintiff is given a reasonable opportunity to review the records.

1 As a result, Plaintiff's motion to stay discovery until the court resolves the issue
2 regarding his medical records (ECF No. 58) is **DENIED AS MOOT**.

3
4 **IT IS SO ORDERED.**

5 Dated: September 26, 2022

6 
7 Craig S. Denney
United States Magistrate Judge